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and Epson America, Inc.

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Seiko Epson Corporation and Epson America, Inc.,)	No. 3:16-cv-00524-RCJ-VPC
)	
Plaintiffs,)	ORDER RE
v.)	CONTEMPT AS TO ARTEM
)	KOSHKALDA AND VLADIMIR
InkSystem LLC, et al.,)	WESTBROOK
)	
Defendants.)	

WHEREAS Plaintiffs Seiko Epson Corporation and Epson America, Inc.
(collectively "Plaintiffs") filed their *Emergency Ex Parte Application* for Order to Show
Cause Re Contempt as to Artem Koshkalda ("Koshkalda") and Vladimir Slobodianiuk
a/k/a Volodymyr Slobodianiuk a/k/a Vladimir Westbrook ("Westbrook") (collectively
"Defendants") ("Application") (ECF No. 155);

WHEREAS on September 1, 2017, Defendants ART LLC (through Koshkalda)
and Koshkalda individually filed a Motion re Items Seized from 960 Matley Lane, (ECF
No. 177), which Plaintiffs opposed (ECF No. 199) and to which no Reply was filed;

1 WHEREAS on October 10, 2017, the Court issued an Order granting
2 Koshkalda's motion for additional time to respond to Plaintiffs' Application and also in
3 that Order set a hearing on the Application, requiring both Koshkalda and Westbrook's
4 personal appearance before this Court on October 23, 2017, at 11:00 am, among other
5 things (ECF No. 222);

6 WHEREAS Defendant Westbrook did not file any response to the OSC, despite
7 service of the Court's Order (ECF No. 222), and Notice of the Hearing Location (ECF
8 No. 227), by mail service and courtesy copies sent via email to email addresses
9 published by Westbrook in connection with his business as set forth on the record (ECF
10 Nos. 234-235, 248);

11 WHEREAS Defendant Koshkalda filed an untimely response to the Court's
12 Order on October 18, 2017 (ECF No. 228), after receiving notice of the Court's Order
13 (ECF No. 222) via email service and Notice of the Hearing Location (ECF No. 227), via
14 the Court's ECF system in addition to receiving a courtesy copy via email (ECF Nos.,
15 234-235);

16 WHEREAS Koshkalda and Westbrook failed to appear for the Court ordered
17 hearing on the Application on October 23, 2017 at 11:00 am (ECF No. 222);

18 AND GOOD CAUSE HAVING BEEN SHOWN, the Court hereby GRANTS
19 Plaintiffs' Application and IT IS ORDERED, ADJUDGED AND DECREED THAT:

- 20 1) Defendants Koshkalda and Westbrook are found to be in Civil Contempt of
21 Court and bench warrants for arrest will issue for Defendants Koshkalda and
22 Westbrook's failure to appear in response to the Court's Order where they
23 were ordered to answer for their violations of the Preliminary Injunction
24 (ECF No. 159);
- 25 2) Within 24 hours of the service of this Order, Defendants Koshkalda and
26 Westbrook shall provide Plaintiffs' counsel with their current residential
27 addresses and shall file a notice with the Court identifying a time and place
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1 where, upon 24 hours' notice from Plaintiffs, they will appear during normal
2 business hours for personal service of Court Orders, warrants and Plaintiffs'
3 discovery requests;

4
5 3) Koshkalda's third-party service providers and others acting in concert with
6 him, and any financial or brokerage institution, business entity, and person
7 served with a copy of this Order that holds, controls, or maintains custody of
8 any account or asset of Koshkalda or one of his companies, or that has held,
9 controlled, or maintained custody of any such account or asset at any time
10 since the date of service of the TRO (ECF No. 106), Order for Asset Seizure
11 and Impoundment (ECF No. 159), or this Order, shall transfer all funds held
12 in any account owned or controlled by, or in the actual or constructive
13 possession of or otherwise held for the benefit of, any corporation,
14 partnership, or other entity directly or indirectly owned, managed, or
15 controlled by Koshkalda or one of his companies (including but not limited
16 to Sancase LLC, Vilacet LLC, and Renoca LLC), and including but not
17 limited to those accounts identified in Exhibit A, to an account identified by
18 Plaintiffs;

19 4) Plaintiffs are given leave to immediately attach and execute upon any assets
20 owned or controlled by, or in the actual or constructive possession of or
21 otherwise held for the benefit of, any corporation, partnership, or other
22 entity directly or indirectly owned, managed, or controlled by Defendant
23 Koshkalda or one of his companies (including but not limited to Sancase
24 LLC, Vilacet LLC, and Renoca LLC) including but not limited to those
25 assets identified in Exhibit A and B. Plaintiffs have leave to submit
26 proposed writs or other orders as may be necessary to attach and/or execute
27 upon any assets pursuant to this Order;
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- 1 5) The \$3,000 monthly allowance provided for in the Order for Asset Freeze
2 and Impoundment (ECF No. 159) is hereby stricken and amended as
3 reflected in the attached Amended Order for Asset Seizure and
4 Impoundment attached hereto as Exhibit C;
- 5 6) The Motion to Obtain an Inventory of Seized Items From 960 Matley Lane
6 (ECF No. 177), is DENIED;
- 7 7) Defendants and their third-party service providers are ordered to
8 immediately cease the attempted or actual transfer or sale of any real
9 property owned or controlled by Koshkalda, not limited to those properties
10 identified in the Preliminary Injunction (ECF No. 159), or in the actual or
11 constructive possession of or otherwise held for the benefit of, any
12 corporation, partnership, or other entity directly or indirectly owned,
13 managed, or controlled by Koshkalda, in violation of the Court's Orders;
- 14 8) Koshkalda and those acting in concert with him who are subject to the
15 jurisdiction of this Court, including but not limited to Andriy Kravchuk and
16 Vladimir Westbrook, are ordered to appear for examination under oath
17 before Magistrate Judge Cooke, or another special master as the Court sees
18 fit, at a date and time to be set by Magistrate Judge Cooke or special master
19 within 28 days of the entry of this Order, to account for all of
20 Koshkalda's assets and recent transactions, including the identification and
21 whereabouts of all of the proceeds from real estate transactions during the
22 pendency of this action;
- 23 9) Koshkalda and those acting in concert with him who are subject to the
24 jurisdiction of this Court, including but not limited to Andriy Kravchuk and
25 Vladimir Westbrook, are further ordered to produce, within ten days
26 following this order, all documents for all of Koshkalda's assets and recent
27 transactions, including all documents the identification and whereabouts of
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1 all of the proceeds from real estate transactions during the pendency of this
2 action.

3 10) Plaintiffs, and only Plaintiffs, are given leave to undertake discovery,
4 including Debtor's examinations and third-party discovery, regarding the
5 assets and obligations of Defendants and those acting in concert with them;

6 11) Koshkalda is ordered to deposit into a frozen account all proceeds from any
7 recent real estate transactions completed since August 1, 2017;

8 12) Koshkalda, his company ART LLC and Westbrook are prohibited from
9 filing any further motions in this case and any such filings to which they are
10 a moving party will immediately be stricken, including but not limited to
11 Defendants Motion to Dissolve The Preliminary Injunction or Alternatively
12 Increase the Bond (ECF No. 231) filed on October 23, 2017, and Defendant
13 Koshkalda's Motion for Release of Funds (ECF No. 236) filed on October
14 26, 2017, until such time that the Court finds that Koshkalda and Westbrook
15 are no longer in Contempt and amends this Order.

16 13) In light of Defendants' defaults now entered, all Pretrial Dates are hereby
17 VACATED.

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19 IT IS SO ORDERED:

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21 UNITED STATES DISTRICT JUDGE

22 DATED: October 27, 2017
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EXHIBIT A

Bank Accounts			
	Financial Institution	Account	Account Name/Holder
	Bank of America, N.A.	1744	ARTEM KOSHKALDA
	Bank of America, N.A.	0057	ARTEM KOSHKALDA
	Bank of America, N.A.	0633	ARTEM KOSHKALDA
	Bank of America, N.A.	1234	ARTEM KOSHKALDA
	Bank of America, N.A.	0519	ARTEM KOSHKALDA
	Bank of America, N.A.	0623	ART LLC
	Bank of America, N.A.	1033	ART LLC
	Bank of America, N.A.	6624	ART LLC
	Bank of America, N.A.	7115	ART LLC
	Bank of America, N.A.	7255	ARTEM KOSHKALDA
	Bank of America, N.A.	0087	ARTEM KOSHKALDA
	Bank of America, N.A.	0090	ARTEM KOSHKALDA
	Bank of America, N.A.	0100	ARTEM KOSHKALDA
	Bank of America, N.A.	0155	ARTEM KOSHKALDA
	Bank of America, N.A.	2797	ARTEM KOSHKALDA DBA BEST DEAL CARTRIDGE
	Bank of America, N.A.	3491	ART LLC
	Bank of America, N.A.	7593	ARTEM KOSHKALDA, SOLE PROP DBA BEST DEAL CARTRIDGE
	Bank of America, N.A.	7611	ARTEM KOSHKALDA, SOLE PROP DBA BEST DEAL CARTRIDGE (INK SYSTEM)
	Bank of America, N.A.	7654	ARTEM KOSHKALDA, SOLE PROP DBA BEST DEAL CARTRIDGE (SAVE MONEY CARTRIDGE)
	Bank of America, N.A.	7689	ARTEM KOSHKALDA, SOLE PROP DBA APTPIZZADEALS
	Bank of America, N.A.	8964	ART LLC
	Bank of America, N.A.	8977	ART LLC
	Bank of America, N.A.	8980	ART LLC
	Bank of America, N.A.	8533	ART LLC
	Bank of America, N.A.	8591	ART LLC
	Bank of America, N.A.	8760	RENOCA LLC
	Bank of America, N.A.	9099	PRIVAT GROUP LLC

1	Citibank Fsb	8374	Art LLC
2	Citibank Fsb	8390	Art LLC
3	Citibank Fsb	8382	Art LLC
4	Citibank Fsb	6310	AF LLC
5	Citibank Fsb	6294	AF LLC
6	Citibank Fsb	6302	AF LLC
7	JP Morgan Chase Bank, N.A.	7586	Art LLC
8	JP Morgan Chase Bank, N.A.	8931	Art LLC
9	JP Morgan Chase Bank, N.A.	9772	Art LLC
10	Wells Fargo Bank, N.A.	5138	3Day Shipping
11	Wells Fargo Bank, N.A.	7982	Artem Koshkalda dba Art
12	Wells Fargo Bank, N.A.	7966	Artem Koshkalda dba Art
13	Wells Fargo Bank, N.A.	4158	Artem Koshkalda dba ART
14	Wells Fargo Bank, N.A.	2935	Artem Koshkalda dba ART
15	Wells Fargo Bank, N.A.	7974	Artem Koshkalda dba ART
16	Wells Fargo Bank, N.A.	0399	Artem Koshkalda
17	Wells Fargo Bank, N.A.	8446	Artem Koshkalda
18	Wells Fargo Bank, N.A.	6747	Artem Koshkalda dba ART
19	Wells Fargo Bank, N.A.	2551	Artem Koshkalda dba ART
20	Wells Fargo Bank, N.A.	0961	Artem Koshkalda dba Bestdealcartridge
21	Wells Fargo Bank, N.A.	6987	Artem Koshkalda dba Featured
22	Wells Fargo Bank, N.A.	4125	Artem Koshkalda dba PRICEMATTERS
23	Wells Fargo Bank, N.A.	2972	Artem Koshkalda dba Featured
24	Wells Fargo Bank, N.A.	3057	Artem Koshkalda dba ART

Account Holder Identification Information

Artem Koshkalda

SSN: [REDACTED] 2658

ART LLC

EIN: [REDACTED] 4186

Renoca LLC

CA Sec. of State File

Number: 201634110191

Sancase LLC

CA Sec. of State File

Number: 201634210211

Vilacet LLC

CA Sec. of State File

Number: 201634310118

EXHIBIT B

Owner/ Related Defendant	Address	APN	Recordin g Date	Document No.	Status
Artem Koshkalda	38868 Thimbleberry Place Newark, CA 94560	92A260018	10/3/16	2016253277	
Artem Koshkalda	1012 Giacomo Ln. San Jose, CA 95131	24146001	12/30/16	23546827/ 23546826	Transferred to Renoca LLC
Artem Koshkalda	401 Harrison St., #4A San Francisco, CA 94105	3765414	1/23/17	K399066-00	Transferred to Vilacet LLC
Artem Koshkalda	401 Harrison St., #4D San Francisco, CA 94105	3765417	1/19/17	K396635-00	Transferred to Vilacet LLC
Artem Koshkalda	253 Friedell St. San Francisco, CA 94124	4591C-462	1/19/17	K396638-00	Transferred to Renoca LLC
Artem Koshkalda	388 Fulton St., #207 San Francisco, CA 94102	0785072	1/19/17	K396636-00	Transferred to Vilacet LLC
Artem Koshkalda	11 Franklin St., San Francisco, CA 94102 <i>(believed to be Unit 205)</i>	0837003	9/23/16	K333115-00	
Artem Koshkalda	11 Franklin St., # 502 San Francisco, CA 94102	0837117	11/1/16	K352816-00	
Artem Koshkalda	338 Portrero Ave., #402 San Francisco, CA 94103	3962032	12/20/16	K377429-00	
Artem Koshkalda & Andriy Kravchuk	One Mission Bay Property (address unknown)				
Artem Koshkalda	Tanglewood by Summerhill Homes Property (address unknown)				

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Artem Koshkalda	Saverio/Pulte Homes Property (address unknown)				
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